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UNCLAS SECTION 01 OF 02 ANKARA 001598

SIPDIS

DEPT FOR EB/TPP/MTA/IPC - AERIAS AND EUR/SE
DEPT PASS LIBRARY OF CONGRESS
DEPT PASS USPTO FOR ELAINE WU/MICHAEL SMITH
USDOC FOR ITA/MAC/DDEFALCO
DEPT PLEASE PASS USTR FOR LERRION/BPECK

E.O. 12958: N/A

TAGS: [ETRD](#) [KIPR](#) [TU](#)

SUBJECT: IPR Training Needs and Best Practices

REF: SECSTATE 42796

11. Post's answers to reftel questions are as follows:

A.1. Post IP Training: Embassy Ankara has facilitated Turkish participation in several training programs on intellectual property (IP) protection. In August 2003, the Bureau of Educational and Cultural Affairs organized a three-week international visitor program in the U.S. for four Turkish officials working on IP issues. The officials visited five cities in the U.S., and met a wide range of USG agencies working on IP. The Embassy also nominated and sent a Turkish Customs officer to the U.S. Patent and Trademark Office's (USPTO) Visiting Scholars Program in May 2003, and an Industry/Commerce Ministry official to the same program in 2002. USPTO proposed an IP enforcement training program to be held in Turkey in September 2004.

A.2. NON-USG IP TRAINING: THE EUROPEAN UNION (EU) HAS BEEN ORGANIZING AND FINANCING IP TRAINING PROGRAMS FOR TURKISH OFFICIALS BOTH IN TURKEY AND IN EUROPEAN COUNTRIES. IN SEPTEMBER 2002, THE EU ORGANIZED A TEN-MONTH TRAINING COURSE FOR EIGHT TURKISH JUDGES SPECIALIZED IN IPR ISSUES IN FIVE EU COUNTRIES. THE JUDGES RECEIVED EXTENSIVE TRAINING ON THE EU'S IP LEGISLATION AND ENFORCEMENT. IN ADDITION TO THIS LONG-TERM TRAINING, THE EU'S TECHNICAL ASSISTANCE AND INFORMATION OFFICE (TAIEX) ORGANIZED IP SEMINARS IN TURKEY, IN WHICH SEVERAL TURKISH JUDGES AND PROSECUTORS PARTICIPATED. TAIEX ALSO FINANCED EXPENSES OF SOME TURKISH OFFICIALS TRAVELING TO VARIOUS EU COUNTRIES TO ATTEND IP SEMINARS.

THE TURKISH JUSTICE MINISTRY AND THE EUROPEAN PATENT OFFICE, WITH FINANCIAL SUPPORT FROM THE EUROPEAN COMMISSION, PLAN TO CONDUCT AN INTERNATIONAL SYMPOSIUM ON IP ENFORCEMENT IN MAY.

THE FRENCH AND TURKISH POLICE ORGANIZED A SEMINAR ON COUNTERFEIT AND IP RIGHTS FOR TURKISH POLICE OFFICERS IN JUNE 2003. REPRESENTATIVES OF PHILIP MORRIS, THE MOTION PICTURE ASSOCIATION OF AMERICA AND OTHER PRIVATE SECTOR REPRESENTATIVES PARTICIPATED IN THE TRAINING.

IN ADDITION TO THESE INTERNATIONAL TRAINING PROGRAMS AND SEMINARS, ANKARA UNIVERSITY LAW FACULTY'S RESEARCH CENTER ON INTELLECTUAL AND INDUSTRIAL PROPERTY (FISAUM) ALSO ORGANIZES IP SEMINARS AND TRAINING PROGRAMS ON A REGULAR BASIS.

B.1. EVALUATION OF PROGRAMS: PARTICIPANTS IN THE TRAINING PROGRAMS HAVE GENERALLY TOLD US THAT EXPOSURE TO IP PRACTICES IN A RANGE OF OTHER COUNTRIES HAS BEEN USEFUL. WHILE TURKISH OFFICIALS PREFER TRAINING IN THESE FOREIGN COUNTRIES, SEMINARS IN TURKEY ARE MORE COST-EFFECTIVE AND CAN REACH A GREATER NUMBER OF OFFICIALS. TURKISH OFFICIALS PREFER TO HAVE SEPARATE MEETINGS WITH VISITING EXPERTS TO BE ABLE TO DISCUSS THEIR PARTICULAR ISSUES.

B.2. BEST PRACTICES: IT IS USEFUL AND APPRECIATED WHEN POST IS ABLE TO SCHEDULE MEETINGS BETWEEN VISITING EXPERTS OR SPEAKERS AND THEIR HOST COUNTRY COUNTERPARTS. THESE MEETINGS ARE MOST USEFUL WHEN VISITORS ARE WELL-BRIEFED ON THE HOST COUNTRY'S IP AGENDA AND LEGISLATION.

B.3. NON-TRAINING RELATED STRATEGIES: IN JANUARY 2002, THE EMBASSY INVITED PAUL KILMER, A HOLLAND AND KNIGHT ATTORNEY SPECIALIZING IN IP ISSUES, TO TURKEY. KILMER ADDRESSED AN ANKARA BAR ASSOCIATION SEMINAR ON IP, AND MET WITH THE RELEVANT GOT OFFICIALS TO SHARE HIS EXPERIENCES IN THIS FIELD. THE PROGRAM PROVED AN EFFECTIVE MEANS FOR SHARING

THE U.S. EXPERIENCE IN THIS AREA, AND WOULD BE WORTH REPEATING WITH MORE OF A FOCUS ON ENFORCEMENT ISSUES. FOR EXAMPLE, FUNDING COULD BE ALLOCATED FOR TRAVEL AND PER DIEM FOR A USG OFFICIAL KNOWLEDGEABLE ON ENFORCEMENT MATTERS TO ADDRESS ONE OF THE IP CONFERENCES PERIODICALLY HELD IN TURKEY.

C.1. POST TRAINING: POST HAS SENT ITS IP OFFICER TO NFATC'S TWO-DAY IP COURSE AND IS SATISFIED WITH THE TRAINING RECEIVED.

C1/C.2. HOST COUNTRY TRAINING/SUPPORT PROGRAM SUGGESTIONS: EMBASSY BELIEVES THE GOT COULD BENEFIT FROM ADDITIONAL TRAINING OR RELATED ASSISTANCE IN SEVERAL AREAS, PARTICULARLY IN ENFORCEMENT. GOT OFFICIALS ARE VERY RECEPTIVE ABOUT IP TRAINING PROGRAMS, AND IN SOME CASES CAN CONTRIBUTE IN-KIND SUPPORT. FOR EXAMPLE, USPTO PROPOSED AN IP ENFORCEMENT TRAINING PROGRAM TO BE HELD IN TURKEY IN SEPTEMBER 2004. THE JUSTICE MINISTRY HAS OFFERED USE OF ITS CONFERENCE FACILITIES, AND MAY BE WILLING TO DO SO FOR OTHER IP-RELATED TRAINING PROJECTS. THE JUSTICE MINISTRY IS CLOSELY LINKED TO FISAUM AND HAS ORGANIZED SEVERAL TRAINING PROGRAMS AND SEMINARS THERE.

EMBASSY CONSIDERS THE USPTO'S TWO-WEEK VISITING SCHOLARS PROGRAMS TO BE VERY USEFUL FOR TURKISH IP OFFICIALS, BUT NOTES THAT IN SOME OF THESE SESSIONS, LACK OF FUNDS FOR TRAVEL AND ACCOMMODATION HAS BEEN A BARRIER TO TURKISH PARTICIPATION. THE DEPARTMENT MAY WANT TO CONSIDER PROGRAMMING SUFFICIENT FUNDS TO COVER ONE TURKISH PARTICIPANT ANNUALLY IN THE USPTO PROGRAM.

ONE OF OUR CONTACTS, A JUDGE SPECIALIZING IN IP ISSUES AT THE JUSTICE MINISTRY, RECENTLY TOLD US THAT THE ANKARA UNIVERSITY LAW FACULTY'S RESEARCH CENTER ON INTELLECTUAL AND INDUSTRIAL PROPERTY (FISAUM) HAS A LIBRARY WITH A LARGE VARIETY OF IP-RELATED MATERIAL, MOSTLY FROM EU SOURCES. THE JUDGE THOUGHT THE LIBRARY WOULD BENEFIT FROM ANY ADDITIONAL READING MATERIAL, BOOKS OR PERIODICALS, FROM AMERICAN SOURCES.
EDELMAN